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20 Nov 02PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: ROGER BERNARD JOHN                      ART UNIT:  
SERIAL NOS.: 10/018,940 & 10/031,249              EXAMINER:  
FILED: OCTOBER 30, 2001                      CONFIRMATION NO.: 5049  
P.C.T. APPLICATION NO.: PCT/GB00/01493  
P.C.T. INTERNATIONAL FILING DATE: APRIL 17, 2000  
U.S. NATIONAL FEE PAID: OCTOBER 23, 2001  
TITLE: CUTTING TOOL

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. §371 ISSUED IN APPLICATION SERIAL NO. 10/031,249

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Hon. Commissioner for Patents  
United States Patent and Trademark Office  
Box PCT  
Washington, D. C. 20231

Dear Sir:

In reply to the "Notification of Missing Requirements  
under 35 U.S.C. 371" in Application Serial No. 10/031,249,  
dated April 1, 2002, Applicant includes the following docu-  
mentation (no additional fees are due):

"Express Mail" mailing label number EU 340064665 US  
Date of Deposit April 30, 2002

I hereby certify that this paper is being deposited with the  
U.S. Postal Service "Express Mail - Post Office to Addressee"  
service under 37 C.F.R. §1.10 on the date indicated above and  
is addressed to: Hon. Commissioner for Patents, United States  
Patent and Trademark Office, Washington, D. C. 20231.

  
Edwin D. Schindler, Reg. No. 31,459

April 30, 2002  
Date

1. Copy of "Notification of Missing Requirements under 35 U.S.C. 371" in Application Serial No. 10/031,249;
2. Copy of return-postcard with PTO/PCT date-stamp of October 23, 2001, for Application Serial No. 10/031,249;
3. Copy of return-postcard with PTO/PCT date-stamp of October 30, 2001, showing receipt of all outstanding requirements and fees for Application Serial No. 10/018,940; and,
4. Copy of return-postcard with PTO/PCT date-stamp of February 12, 2001, showing receipt of Information Disclosure Statement for Application Serial No. 10/018,940.

The U.S. National Phase Application for PCT/GB00/01493  
Has Been Accorded Both Serial Nos. 10/018,940 and 10/031,249

On October 23, 2001, the 30th-month deadline calculated from the claimed priority date, Applicant timely paid the large entity U.S. National Fee and filed various other papers for entry of P.C.T. Application No. PCT/GB00/01493 into the U.S. National Phase. The return-postcard for this filing, date-stamped October 23, 2001, was accorded Application Serial No. 10/031,249, but was not processed until February 2002, by the Patent and Trademark Office because of the U.S. postal disruption, which commenced on October 21, 2001.

On October 30, 2001, Applicant filed a Declaration, two Small Entity Statements, paid the required surcharge of \$65.00, and requested a refund of one-half the U.S. National Fee paid on October 23, 2001. This mailing was processed by

the PTO on January 8, 2002, prior to the filing of October 23, 2001. The October 30, 2001, filing was accorded Application Serial No. 10/018,940.

On February 12, 2002, an Information Disclosure Statement was filed for this U.S. National Phase P.C.T. Application in Application Serial No. 10/018,940.

Because the October 30, 2001, filing was processed before the initial October 23, 2001, filing, this U.S. National Phase ("371") patent application has mistakenly been accorded two serial numbers by the PTO: 10/018,940 and 10/031,249.

On April 1, 2002, a "Notification of Missing Requirements under 35 U.S.C. 371" was issued for Application Serial No. 10/031,249. All of the "Missing Requirements" for Application Serial No. 10/031,249 were filed with the Patent and Trademark Office on October 30, 2001, and should be found in the file-wrapper for Application Serial No. 10/018,940.

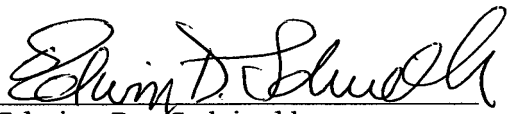
Application Serial Nos. 10/018,940 and 10/031,249 represent the same application and the file-wrappers for these two application serial numbers should be merged into a single file and only a single serial number should be assigned to this application.

In conclusion, all "missing requirements" for Application Serial No. 10/031,249 were filed on October 30, 2001, along with a Request for Refund of one-half of the U.S.

National Fee timely paid on October 23, 2001, and that such "missing requirements" were filed under Application Serial No. 10/018,940, which was the first serial number accorded this application. No further requirements for entry of P.C.T. Application No. PCT/GB00/01493 remain outstanding and, it is respectfully contended, that no additional fees are due at this time.

Respectfully submitted,

ROGER BERNARD JOHN

By   
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April 30, 2002